



9-25-06

PATENT

DRC/J
ZJWIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Anand A. Kekre, Ronald S. Karr, John A. Colgrove, Kedar M. Karmarkar, Raghu Krishnamurthy, Saurabh R. Godbole, Ming Xu, Vikas K. Gupta, Deepak Tawri

Assignee: VERITAS Operating Corporation

Title: METHOD AND SYSTEM OF PROVIDING PERIODIC REPLICATION

Serial No.: 10/723,493 Filing Date: Nov. 26, 2003

Examiner: Paul A. Baker Group Art Unit: 2188

Docket No.: VRT0062P1US

Austin, Texas
September 21, 2006

MAIL STOP PETITION
COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM FOR
THE BENEFIT OF A PRIOR-FILED APPLICATION**

Dear Sir:

Applicant respectfully petition under 37 C.F.R. § 1.78(a) for the Office of the Deputy Commissioner for Patent Examination Policy to accept an unintentionally delayed claim for the benefit of a prior-filed application.

A benefit claim to the parent application was initially presented in the declaration filed along with the above-identified application on November 26, 2003. However, this benefit claim was not set forth in either an application data sheet or in the first sentence of the specification within the time period set forth in 37 C.F.R. § 1.78(a). Accordingly, this petition is being filed to add the benefit claim at this time. The entire delay between the date that the time period set forth in 37 C.F.R. § 1.78(a) expired and the date that this claim is being filed was unintentional.

Accompanying this petition, as required by 37 C.F.R. § 1.78(a) is (1) an amendment to the specification of the present application, such that the first sentence after the title sets forth the benefit claim; (2) the fee set forth in 37 C.F.R. § 1.17(t); and

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Serial No. 10/723,493

(3) the statement, set forth above, that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional.

Please charge the amount of \$1370.00, as set forth in the enclosed transmittal letter.

EXPRESS MAIL NUMBER:

EV 643137603 US

Respectfully submitted,



Brenna A. Brock

Attorney for Applicant(s)

Reg. No. 48,509

512-439-5087

512-439-5099 (fax)

AMENDMENTS*In the Specification*

On page 2, before the header “Technical Field”, please insert the following paragraph:

This application is a continuation-in-part of U.S. Patent Application Serial Number 10/436,354, entitled “Method and System of Providing Periodic Replication,” filed on May 12, 2003 and naming Anand A. Kekre; Ronald S. Karr; John A. Colgrove; Kedar M. Karmarkar; Raghu Krishnamurthy; Saurabh R. Godbole; Ming Xu; Vikas K. Gupta; and Deepak Tawri as inventors.



CAMPBELL
STEPHENSON
ASCOLESE LLP

4807 Spicewood Springs Road
Building 4, Suite 201
Austin, Texas 78759
T: 512-439-5080
F: 512-439-5099

Docket No.: VRT0062P1US

September 21, 2006

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Re: Applicant(s): Anand A. Kekre, Ronald S. Karr, John A. Colgrove, Kedar M. Karmarkar, Raghu Krishnamurthy, Saurabh R. Godbole, Ming Xu, Vikas K. Gupta, Deepak Tawri
Assignee: VERITAS Operating Corporation
Title: METHOD AND SYSTEM OF PROVIDING PERIODIC REPLICATION
Serial No.: 10/723,493
Examiner: Paul A. Baker
Docket No.: VRT0062P1US Filed: Nov. 26, 2003
Group Art Unit: 2188

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) Return Receipt Postcard;
- (2) This Transmittal Letter (1 page) (in duplicate); and
- (3) Petition to Accept an Unintentionally Delayed Claim for the Benefit of a Prior-Filed Application (3 pages)

- No additional fee is required.
 The fee has been calculated as shown below:

- Fee for Petition to Accept an Unintentionally Delayed Claim for the Benefit of a Prior-Filed Application \$ 1,370.00
- Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.
- Please charge our Deposit Account No. 502306 in the amount of \$ 1,370.00
- Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 502306.

TOTAL \$ 1,370.00

Express Mail Label No.: EV643137603US

Respectfully submitted,

Brenna A. Brock
Attorney for Applicant
Reg. No. 48,509
(512) 439-5087 (Phone)
(512) 439-5099 (Fax)